

News story: Government announces appointment of 2 Acas Council members

The Department for Business, Energy and Industrial Strategy has today (30 June 2017) announced the appointment of 2 new members to the [Advisory, Conciliation and Arbitration Service \(Acas\)](#) Council.

Acas is an independent non-departmental public body and the Acas Council is the overarching governance body for Acas. The Council consists of 12 members, including the Chair, and membership is drawn from employer, trade union and independent backgrounds.

Ben Summerskill joins the Council as an independent member and Christina McAnea as an employee representative.

Sir Brendan Barber, Acas chair, said:

I am delighted to welcome Ben Summerskill and Christina McAnea to the Acas Council. Their diverse knowledge and experience within employment relations will be invaluable in our role as independent, impartial and trusted workplace experts.

The Council sets out Acas' strategic direction, policies and priorities. I look forward to working with Ben and Christina to maintain our reputation as Britain's leading advisory service on workplace relations.

Ben Summerskill

Ben Summerskill is the director of the Criminal Justice Alliance, a coalition of 120 organisations committed to improving the criminal justice system. Previously he was chief executive at Stonewall from 2003 to 2014, which campaigns for the equality of lesbian, gay and bisexual people across Britain. Before that Ben Summerskill worked as a journalist at titles including The Observer, Express and London Evening Standard.

Christina McAnea

Christina McAnea is Unison's National Secretary for Health and is the lead negotiator on behalf of NHS workers across the UK. Christina has held various positions at the union since 1987, including Head of Education. Before that she worked at the GMB trade union.

Role of Acas

Acas aims to improve organisations and working life through better employment relations. It provides 3 main services:

- advice on workplace matters through a helpline which received 943,500 calls in 2015 to 2016 and a website with around 10 million visitors annually
- conciliation services which help resolve disputes between employers and individual employees or groups of employees – last year Acas received 92,172 notifications of individual disputes and was involved in 970 collective disputes
- tailored training and advice for individual organisations – in 2015 to 2016, Acas trained over 34,000 delegates

Acas is independent of ministers, but is one of the Department for Business, Energy and Industrial Strategy's key partners. Acas' services contribute to delivering a competitive, efficient and effective labour market which supports economic growth and employment.

News story: Companies running coloured diamonds scam shut down

At a hearing in the Companies Court on 8 June both IGL Labs UK Limited (IGL) and Diffraction Diamonds DMCC (Diffraction) were wound up in the public interest.

The petition to wind up IGL was issued following confidential enquiries into Diffraction carried out by Company Investigations, part of the Insolvency Service.

IGL, a company based near Hatton Garden in London, provided certificates to Diffraction, a company based at Jumeirah Lake Towers in Dubai, United Arab Emirates, that was at the centre of a scheme to sell fancy coloured diamonds to investors, via numerous broker companies based in the United Kingdom.

Diffraction provided an online trading platform to numerous UK-based broker companies who sold the diamonds to members of the public at mark ups so high that investors were unlikely to obtain any return on their investment. The company also offered and controlled the storage of investor's diamonds in a storage fault in Dubai.

Diffraction was a continuation of part of the business of Diffraction Limited (DIL), a UK company wound up in the public interest on 4 June 2014. DIL was involved in the sale of carbon credits and also diamonds as investments to members of the public. Diffraction took over custody of diamonds stored, on behalf of investors, by DIL in a bonded warehouse in Geneva and moved them to a storage facility in Dubai without the knowledge, or agreement of the investors.

Diffraction was ordered into liquidation following a petition presented by

the Secretary of State for Business, Energy and Industrial Strategy to wind up the company on grounds of lack of commercial probity and failure to co-operate with the investigation.

IGL's website claims:

People from all over the world send their diamonds to the IGL Laboratory for grading and analysis. Our clients put their business in our hands and their trust in our expertise.

However; despite that and certain misleading statements on the certificates issued by IGL, the company never physically saw the diamonds it was appraising and the estimated retail valuations provided by IGL were based on the simple calculation, of the price paid by the investors plus 20%.

The Court heard that in some cases IGL enhanced the characteristics of diamonds, it had never seen, by one to two grades over and above the grading provided by the original and authentic Gemological Institute of America certificates that the diamonds originally came with.

The IGL certificates were used by Diffraction's client broker companies to reassure investors that the diamonds they had purchased were worth at least what they had paid for them.

Diffraction itself was a continuation of, part of, the business of DIL, a UK company wound up in the public interest on 4 June 2014 that was involved in the sale of both fancy coloured diamonds and carbon credits as investments to members of the public.

The director of Diffraction, David Ramsey, was also a former director of DIL. As a result of action taken by the Insolvency Service in respect of his conduct in DIL, on 10 May 2017, Mr Ramsey signed a disqualification undertaking; preventing him from being involved in the promotion, formation, or management of a limited company for a period of 14 years.

The Court found that there was no doubt that Diffraction played a central and essential role in the sale of fancy coloured diamonds, by brokers, to the public as investments and profited from such arrangements and that the company was aware of the mark-up applied by brokers as it was an integral feature of its trading platform.

The Court heard testimony from expert witnesses for the Secretary of State and for Diffraction. Both experts agreed that the diamond transactions carried out at retail prices, or above, would not be suitable for investment purposes because of the mark ups applied in retail transactions. Ms Rosamund Clayton, the expert witness for the Secretary of State, explained in her evidence that the price paid by members of the public who bought the diamonds through brokers using Diffraction's trading platform was far too high for the purposes of investment and that the mark ups on the wholesale price of the diamonds, of between 220% and 745%, made it unrealistic to expect any return on the investment.

The director of IGL, Noam Lenzini told the Court that although IGL never physically inspected the fancy coloured diamonds prior to issuing its valuation certificate; it was nevertheless possible to provide a reliable valuation by reference to the diamond grading report, or certificate issued by the Gemological Institute of America.

Ms Clayton refuted Mr Lenzini's claims that it possible to properly value the diamonds without examining them, particularly given that in the case of fancy coloured diamonds colour is all important and she concluded that the values on the IGL certificates did not constitute a professional valuation correctly researched and considered. The Court found Ms Clayton's evidence on that point "entirely convincing".

The Court noted that;

- the IGL certificates, whilst stating that they were based on a Gemological Institute of America report, also stated "We have taken the utmost effort to examine and grade your diamond objectively using professional gemmological terminology and equipment" which suggested a detailed physical examination had taken place
- IGL was deliberately upgrading the colour and clarity of FCDs one or two grades up from the Gemological Institute of America reports upon which the valuation was ostensibly based
- that correspondence showed that IGL was prepared to change valuations substantially on request of the broker and Diffraction. In one case IGL changed its original valuation from £16,000 to £31,050 at the request of Diffraction who made the request on behalf of the broker

In the Judgement handed down Mr Philip Marshall QC, sitting as a Deputy Judge of the High Court stated:

Having regard to the evidence as a whole, in my judgment the IGL certificates were not genuine valuations, but are indeed properly classified as contrived. They were simply designed to support a price at which fancy coloured diamonds had been sold to investors and to provide false reassurance that the price paid had an independent professional valuation to support it.

Although the IGL certificates were not provided prior to purchase by investors the fact that they would be supplied featured as part of the sales process that Diffraction had set up and, in some instances, the supply of such certificates does appear to have influenced some investors when making further purchases. The production of the certificates involved the conduct of business with a complete lack of probity.

After examining the evidence the Court concluded that the certificates provided by IGL were misleading and the valuations contrived.

Diffraction argued that the company was registered in Dubai and the substantive trading of the company was not within the jurisdiction of a UK court. Further, should it be held that the company had sufficient connection with the jurisdiction, as provided by Section 453 of the Companies Act 1985, the company did not, at the date of the hearing, have such connections and as such should not be deemed to fall within the jurisdiction of the Court.

The Court, rejecting Diffraction's argument, accepted the Secretary of State's position that Diffraction had a real and sufficient connection with the jurisdiction of the Courts of England & Wales in so far as, among other matters:

- the administration of Diffraction's business has been operated from the United Kingdom
- Diffraction has supplied fancy coloured diamonds for marketing and sale by the Broker Companies to members of the public in the United Kingdom
- Diffraction has supplied services to Broker Companies registered in England and Wales
- Diffraction stored fancy coloured diamonds on behalf of investors who are based in the United Kingdom

Mr Philip Marshall QC sitting as a Deputy Judge of the High Court in his judgement stated that:

Mr Ramsey must have known perfectly well that investors would almost inevitably suffer loss through the transactions that Diffraction was facilitating.

Documents [have] been deliberately withheld in order to obstruct the enquiries of the investigators.

The matters relied on by the Secretary of State do provide a substantial connection with the United Kingdom and are ample to found jurisdiction.

Welcoming the Court's winding up decision David Hill, Company Investigations Supervisor, said:

The Insolvency Service will continue to investigate and work with partners to bring to a halt the activities of companies harming or about to harm the public, including linked, or associated, companies who help facilitate such objectionable trading.

This case also shows that Secretary of State will seek to take action against companies that trade in the UK against the public

interest, even where the companies purport to be based abroad.

Notes to Editors:

IGL Labs UK Ltd (Company number 08952478) was incorporated on 21 March 2014.

The registered office of the company is at 14, Grenville Street, London, EC1N 8SB.

The sole director of IGL throughout is shown to have been Noam Lenzini. No company secretary is shown to have been appointed.

Mr Lenzini is shown to be a 20% shareholder in the company with twenty £1 ordinary shares. The remaining 80% shareholder is shown to be Mr Israel Or with eighty £1 ordinary shares.

Abbreviated unaudited accounts for the year ending 31 March 2015 report total assets of £22,258; creditors of £17,338 and a loss for the year of £6,619. Accounts made up to 31 March 2016 were due to be filed by 31 December 2016 and are overdue.

IGL is not to be confused with IGI (the International Gemological Institute) a long established business in the diamond industry and similar to the Gemological Institute of America.

The petition to wind up IGL in the public interest was presented in the High Court on 04 December 2015.

The public interest grounds for winding up the company was a lack of commercial probity – objectionable business model.

Diffraction Diamonds DMCC was incorporated on 21 April 2013.

Diffraction is registered in the Dubai Multi Commodities Centre (DMCC), Free Zone, Dubai, United Arab Emirates and is a member of the DMCC and operates under trade licence no. DMCC-32987 issued by the DMCC Authority, Dubai, United Arab Emirates.

The registered office of the company is at Unit No. 3801, Jumeirah Business Center 1, Plot No. G2 Jumeirah Lakes Towers, Dubai, United Arab Emirates.

The administration of the company in the United Kingdom was carried out c/o ITransact Limited, 26A Russell Court, Cambridge, CB2 1HW.

The sole director of the Diffraction throughout is shown to have been David Ramsey.

Related petitions by the Secretary of State were issued on 4 December 2015 against Diffraction Diamonds DMCC, CDX Worldwide Limited (Co. No. 08239679) and Heritage FA Limited (Co. No. 08499859).

A winding up order was made against Diffraction Diamonds DMCC on 8 June 2017.

A winding up order was made against CDX Worldwide Limited, at an uncontested hearing on 9 March 2016.

A winding up order was made against Heritage FA Limited at an uncontested hearing on 9 March 2016.

Company Investigations, part of the Insolvency Service, uses powers under the Companies Act 1985 to conduct confidential fact-finding investigations into the activities of live limited companies in the UK on behalf of the Secretary of State for Business, Energy & Industrial Strategy (BEIS). Further information about live company investigations is [available](#)

The Insolvency Service, an executive agency sponsored by the Department for Business, Energy and Industrial Strategy (BEIS), administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures. Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is [available](#).

BEIS' mission is to build a dynamic and competitive UK economy that works for all, in particular by creating the conditions for business success and promoting an open global economy. The Criminal Investigations and Prosecutions team contributes to this aim by taking action to deter fraud and to regulate the market. They investigate and prosecute a range of offences, primarily relating to personal or company insolvencies.

By virtue of the appointment of the Official Receiver all public enquiries concerning the affairs of the company should be made to: The Official Receiver, Public Interest Unit, 4 Abbey Orchard Street, London, SW1P 2HT. Telephone: 0207 637 1110 Email: piu.or@insolvency.gsi.gov.uk.

Media enquiries for this press release – 020 7596 6187

[Contact: 2691]

You can also follow the Insolvency Service on:

[News story: Lesley Cowley named as new chair of Companies House](#)

She replaces Brian Landers who served as chairman between August 2012 and March 2017.

[Companies House](#) incorporates and dissolves limited companies, registers the information companies are legally required to supply and makes that information available to the public.

Business Minister Lord Prior said:

I am very pleased to appoint Lesley Cowley to this role. She brings with her a wealth of knowledge in transformative digital services to ensure Companies House continues to deliver quality services.

Chair of Companies House, Lesley Cowley said:

I am delighted to be chosen as the new Chair of Companies House and look forward to helping the team transform both the business and the digital services provided to Companies House customers.

Biography

Lesley Cowley was appointed non-executive chair of the Driver and Vehicle Licensing Agency (DVLA) in October 2014 and re-appointed in October 2016. She was appointed lead non-executive director of The National Archives in January 2016 and a non-executive director of AQL in October 2014.

Lesley Cowley was previously CEO of Nomine between 2004 and 2014. She also served as chair of the Internet Corporation for Assigned Names and Numbers and chair of the Country Codes Name Supporting Organisation. She has previously been a member of the UK Government Cyber Crime Reduction Partnership. She was made an OBE for services to the internet and e-commerce in 2011.

Further information

The appointment has been made in accordance with the [OCPA Code of Practice](#). Under the Code, any significant political activity undertaken by an appointee in the last 5 years must be declared. This is defined as including holding office, public speaking, making a recordable donation, or candidature for election. Lesley Cowley has declared no political activity.

[New code sets out presumption against rural school closures](#)

The Welsh Government is changing the School Organisation Code that guides

decisions about schools.

The Education Secretary has launched a consultation on the changes, which include:

- Proposers having to consider whether a rural school will be closed by referring to a 'rural school' list
- Proposals to close a rural school must identify clear and specific reasons for closure, set out the alternatives that have been identified, with an assessment of these including likely education benefits, impact on the community and the likely effect on travelling arrangements and explain why the closure is the most appropriate course of action.
- Federation to be considered as an alternative in all cases.
- Consideration of alternatives to be a two-stage process with the proposer having to consider other alternatives that emerge during the consultation process.
- Any consultations on closures to be published on a school day and the local community made aware.
- The code will be revised to better reflect that addressing surplus places does not necessarily mean closing schools and alternatives to closure should be considered.

Kirsty Williams has also announced that the Welsh Government will establish the first ever designation of rural schools and develop a list of rural schools for the purposes of the presumption against closure of rural schools.

Kirsty Williams said:

"Rural schools face unique issues and I want to ensure that pupils that attend them have the same opportunities as children in other areas.

"These proposals strengthen the School Organisation Code to make sure that councils and other proposers do everything they can to keep a rural school open before deciding to consult on closure.

"Talking and engaging with the local community is vital. If there is a consultation to close a school, all options and suggestions that emerge from this must be considered before a decision is made. This might include federation with other schools or increasing the community use of school buildings to make the school more viable.

"Rural schools are at the heart of community life. I therefore want to make sure these schools get a fair hearing when their future is being considered. These plans will play a key part in our national mission to raise standards and offer opportunities to all our young people."

Last year Kirsty Williams announced a new £2.5m a year small and rural schools grant to encourage innovation and support school to school working. Councils submitted their proposals to the Welsh Government at the end of May.

and these are currently being assessed.

Press release: Statement from the Independent Expert Advisory Panel: 30 June 2017

The tests that are currently being conducted are a screening test to identify which Aluminium Composite Material (ACM) panels are of concern. It tests the filler – the core of the panel – to check if it is of limited combustibility (category 1) or not (category 2 or 3). This is in line with the requirement of the Building Regulations guidance. The filler is one element of the overall cladding system.

If the panel core fails the test we would expect the landlord to take the recommended interim fire safety measures issued on [22 June 2017](#).

The Panel will engage with experts across the country to consider whether these panels can be used safely as part of a wider building external wall system, and therefore could remain on a building under certain approved circumstances. If, in the meantime, a landlord chooses to take down and replace cladding, care should be taken to consider the impact that removal may have on the other wall elements, especially insulation, and therefore on the overall fire integrity of the building as well as other Building Regulation requirements.